

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

* * *

KODY CREE PATTEN,

Case No. 3:22-cv-00310-MMD-CLB

Petitioner,

ORDER

v.

GARRETT, *et al.*,

Respondents.

Kody Cree Patten seeks an extension of time to file an amended 28 U.S.C. § 2254 petition for a writ of habeas corpus. (ECF No. 27.) Patten was convicted at age 19 of first-degree murder and is sentenced to life without the possibility of parole. Counsel for Patten states that the defense team's investigation—which has involved out of state travel to interview witnesses—continues, and four more witnesses have been identified. Counsel also explains that their office has been unable to open electronic discovery sent from prior counsel, and their IT team is working to access the data. The Court finds the request is made in good faith and not for the purposes of delay, and therefore, good cause exists to grant the extension.

It is therefore ordered that Petitioner's unopposed motion for extension of time to file an amended petition (ECF No. 27) is granted *nunc pro tunc*. The deadline to file the petition is extended to January 22, 2025.

DATED THIS 25th Day of November 2024.



MIRANDA M. DU
UNITED STATES DISTRICT JUDGE